

REMARKS

The enclosed is responsive to the Examiner's Final Office Action mailed on September 3, 2004. Claims 6, 13, 20, and 22 have been amended. Applicant submits the amendments to the claims place the claims in a better condition for allowance and/or Appeal. Claim 9 has been cancelled. Applicant thanks the examiner for allowed claims 11, 12, 15 and 16 and respectfully traverses the examiner's position.

Allowed independent claim 11 recites the following limitation:

.... a pair of amplifier circuits, each amplifier circuit including a switching device coupled to and controlled by the data processor for selectively switching in additional resistance to decrease the gain of the amplifier circuit in response to detection of a high amplitude downstream DSL signal.

(Emphasis Added). Applicant agrees with the Examiner that Nabicht does not teach this limitation.

Further, Applicant respectfully submits that Nabicht teaches away from modifying the input DSL signal. Nabicht discloses:

The input levels or drive of the input signals presented to the programmable gain amplifier need not be modified when changing the gain level of the amplifier, thus simplifying system implementation and use, especially in high fidelity, high frequency systems as digital subscriber line modems.

(Nabicht, column 11, lines 42-46). (Emphasis Added). Accordingly, Nabicht does not teach modifying the input levels of the DSL signal to change the gain of the amplifier circuit.

Independent claim 6, as currently amended, recites the limitation:

... attenuating the downstream DSL signal by switching in additional resistance before the downstream DSL signal enters the amplifier circuit to decrease the gain of the amplifier circuit if the downstream DSL signal amplitude is above the predetermined threshold.

(Emphasis Added). Applicant respectfully submits that Nabicht does not teach attenuating the downstream DSL signal by switching in additional resistance before the signal enters the amplifier circuit to decrease the gain of the amplifier circuit if the signal amplitude is above the predetermined threshold. Further, as discussed earlier, Nabicht teaches away from attenuating the signal. Therefore, claim 6 and its dependent claims 7 and 8 are not anticipated by Nabicht under 35 U.S.C. § 102(e).

Claim 13, as currently amended, recites the limitation:

... a loss circuit coupled to and controlled by the data processor for attenuating the downstream signal in response to the data processor detecting a high amplitude downstream DSL signal by switching in additional resistance to decrease the gain of the amplifier circuit in response to detection of a high amplitude downstream DSL signal by the data processor.

(Emphasis Added). Applicant respectfully submits that Nabicht does not teach a loss circuit coupled to and controlled by the data processor for attenuating the downstream signal by switching in additional resistance to decrease the gain of the amplifier circuit in response to detection of a high amplitude downstream DSL signal by the data processor. Further, as discussed earlier, Nabicht teaches away from attenuating the signal. Therefore, independent claim 13 and its dependent claim 14 are not anticipated by Nabicht under 35 U.S.C. § 102(e).

Independent claim 20, as currently amended, states the limitation:

... means for attenuating the downstream DSL signal before the downstream DSL signal enters the amplifier circuit if the downstream DSL signal amplitude is above the predetermined threshold by selectively switching in additional resistance to decrease the gain of the amplifier circuit.

(Emphasis Added). Applicant respectfully submits that Nabicht does not teach this limitation. Further, as discussed earlier, Nabicht teaches away from attenuating the signal. As such, independent claim 20 is not anticipated by Nabicht under 35 U.S.C. § 102(e).

Claim 22, as currently amended, recites the limitation:

... selectively attenuating the downstream DSL signal before the downstream DSL signal enters the an amplifier circuit in the receiver according to the measured amplitude of the downstream DSL signal to prevent the downstream DSL signal from saturating the receiver by selectively switching in additional resistance to decrease the gain of the amplifier circuit in response to detection of a high amplitude downstream DSL signal.

(Emphasis Added). Applicant respectfully submits that Nabicht does not teach selectively attenuating the downstream DSL signal before the signal enters an amplifier circuit in the receiver according to the measured amplitude of the downstream DSL signal to prevent the signal from saturating the receiver by selectively switching in additional resistance to decrease the gain of the amplifier circuit in response to detection of a high amplitude downstream DSL signal.

Further, as discussed earlier, Nabicht teaches away from attenuating the signal. As such, independent claim 22 is not anticipated by Nabicht under 35 U.S.C. § 102(e).

In light of the comments above, the Applicant respectfully requests the allowance of all claims.

CONCLUSION

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Tom Ferrill at (408) 720-8300.

Respectfully Submitted,
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